

The John Doe Times  
Volume VI  
20 July 1997

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The John Doe Times is an on-line, electronic newsletter devoted to the Oklahoma City bombing conspiracy and coverup. It is published episodically by the First Alabama Cavalry Regiment, Constitutional Militia, and friends.

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White Supremacist Takes the Fifth  
97-07-16 23:54:20 EDT  
The Associated Press  
By PAUL QUEARY

OKLAHOMA CITY (AP) - A white supremacist said he took the Fifth Amendment when questioned Wednesday by a grand jury investigating claims of a larger conspiracy in the Oklahoma City bombing.

Dennis Mahon, of Tulsa, who operates a Dial-a-Racist hot line and is a member of the White Aryan Resistance, has denied involvement in the bombing.

But he said he refused to answer at least some questions unless

granted immunity from prosecution, and was issued a new subpoena requiring him to appear before the panel on Aug. 15.

``It is my greatest desire to answer all their questions, even if it takes days,'' Mahon said in a telephone interview several hours after his appearance.

Mahon's ex-girlfriend, former federal informant Carol Howe, told authorities after the bombing that she had overheard Mahon and German national Andreas Strassmeir discuss bombing federal buildings in the months before the attack. Mahon dismisses Ms. Howe as a pathological liar and a drug abuser.

Attorneys for Timothy McVeigh, who was convicted and sentenced to death for the bombing, tried to call Ms. Howe as a witness during his trial, but the judge ruled her testimony irrelevant.

Mahon would not say what the grand jury asked him during roughly 40 minutes of questioning or whether he took the Fifth on every question.

The grand jury was called after a petition drive sponsored by state Rep. Charles Key and Glenn Wilburn, an accountant who lost two grandsons in the blast. Wilburn died Tuesday from pancreatic cancer.

Key and Wilburn claimed a larger conspiracy than McVeigh and Terry Nichols was responsible for the bombing, and that federal agents had prior knowledge of the plot. Federal agents say they doubt a larger conspiracy, and have vigorously denied any foreknowledge.

Nichols' trial is set to begin Sept. 29.

Mahon, who was the seventh witness called before the grand jury, arrived for his appearance wearing a white straw cowboy hat and a colorful tie decorated with Loony Toons cartoon characters. He said he wore the tie because he thinks the investigation is loony.

``I'm trying to drain a swamp and I'm surrounded by alligators, namely y'all,'' Mahon told reporters.

In Tulsa, Ms. Howe and co-defendant James Dodson Viefhaus Jr. face separate trials this month on charges unrelated to the Oklahoma attack. They are charged with conspiracy, willfully making a bomb threat and possession of a nonregistered destructive device.

AP-NY-07-16-97 2347EDT

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JDT Commentary: The Oklahoma AP's motto should be: "Oklahoma AP: We Don't Get It, We Haven't Gotten It For Two Years, We Still Don't Get It, And Were Proud Of It."

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Tulsa World On-Line

July 17, 1997

## BOMB WARNINGS ALLEGED

By David Harper World Staff Writer

The federal government did not heed warnings that Elohim City residents had discussed plans to bomb a federal building in Oklahoma City or Texas in the spring of 1995, the attorney for former ATF informant Carol Howe said Wednesday.

Clark O. Brewster told U.S. District Judge Michael Burrage that Howe suggested to her Bureau of Alcohol, Tobacco and Firearms superiors prior to the April 19, 1995, Oklahoma City bombing that certain individuals at Elohim City were deserving of close scrutiny and investigation in light of comments she overheard as part of her duties as an ATF informant within the white separatist movement.

Brewster said Howe visited Elohim City, a white separatist compound in far eastern Oklahoma, beginning in the fall of 1994. Brewster said Howe reported "dangerous, apocalyptic statements" from Elohim City leader Robert Millar and similar hearsay statements from known white separatist James Ellison and unnamed others.

The statements reportedly said a "cataclysm" was pending in the spring of 1995 and that federal buildings in Oklahoma City or Texas were being targeted for a bomb that would signal a "racial holy war" in the United States.

Repeated attempts to reach Millar Wednesday night were unsuccessful.

Brewster said Howe told her bosses that Elohim City residents were preoccupied with the April 19, 1993, raid on Branch Davidians near Waco, Texas, in which more than 80 people died.

It has been widely reported that James Ellison -- former leader of an Arkansas white separatist group called the Covenant, the Sword and the Arm of the Lord -- and Richard Snell plotted to blow up the Alfred P. Murrah Federal Building in 1983. Snell was executed on April 19, 1995, for the murder of a pawnshop owner whom Snell thought was Jewish. Snell was executed the same day as the blast at the Murrah Building that killed 168 people and injured hundreds more. It was two years to the day after the Branch Davidian raid.

Brewster said Howe reported that talks of bombing a building were eventually the subject of daily meetings at Elohim City in late 1994 and early 1995 in anticipation of

Ellison's return to the compound. Brewster said Howe relayed that the individuals seemed particularly interested in Oklahoma City.

Brewster said Howe gave 70 briefings to her federal bosses, although it was unclear in how many of those briefings she warned the government that something was brewing. No one connected with the case is permitted to talk to the media about the case, pursuant to a gag order issued by Burrage on July 10.

Brewster said Howe was offered no "protection" by federal authorities after the Oklahoma City bombing, which left her with no choice but to stay within the white-separatist movement.

Brewster said Howe was frustrated by the government's refusal to heed her warnings and that she concluded that she must be more specific in her information gathering in the future.

Brewster said that "concern about her city" led to Howe's accumulating lists and pictures of possible white-separatist targets in Tulsa. Those lists and photos are referenced by a federal grand jury in a March 11 indictment against Howe and Tulsan James Dodson Viefhaus Jr. for conspiracy, willfully making a bomb threat and possessing a non-registered destructive device.

Viefhaus will go to trial Monday. The jury selection and trial of Howe is tentatively scheduled for July 28.

Before the gag order was issued, Brewster told the Tulsa World that he believes Howe was indicted (two months after Viefhaus) in a "retaliatory" move by the federal government meant to discourage Howe from talking any further about the warnings Howe reportedly issued.

Brewster has insisted that references to Howe's career as an ATF informant will be vital evidence in a jury's consideration of Howe's case since they show why she possessed certain items on Dec. 13, 1996, the day a search warrant was executed at the east Tulsa house Viefhaus and Howe shared.

Assistant U.S. Attorney Neal Kirkpatrick -- who represented Ellison while in private practice in Arkansas in the 1980s -- has asked Burrage to omit all references to Howe's alleged warnings about Oklahoma City on relevance grounds. Howe was called as a defense witness during the trial of Timothy McVeigh, but U.S. District Judge Richard Matsch did not allow her to take the stand on relevancy grounds.

Kirkpatrick has alleged that even if the court rules that Howe's alleged warnings are relevant to her case, they should not be allowed during her trial because they would confuse and mislead the jury, sending the trial spiraling in a direction that has nothing to do with the charges against her in Tulsa. Kirkpatrick said the only context in which Howe's informant days might be relevant at trial would be in regard to some powder and a fuse she allegedly collected from Tulsan Dennis Mahon as part of her duties. There has been previous testimony in the case that the items were returned by the ATF to Howe after she presented them.

"We're not trying the McVeigh case here," Kirkpatrick said, "or substituting for the grand jury in Oklahoma City."

A state grand jury is currently hearing testimony to investigate whether people other than convicted bomber Timothy McVeigh and suspect Terry Nichols might have been involved in the Oklahoma City bombing.

Brewster said he believes the government should have acted to prevent the Oklahoma City bombing and that it "clearly" had enough information to take preventative steps.

For the first time, Kirkpatrick delineated the government's version of when Howe was an informant. He said Howe was an ATF informant from August 1994 through March 1995 (one month before the bombing). He said that after the bombing, Howe at her request performed a few duties.

Brewster claims that Howe was an informant solely for the ATF from August 1994 through the day of the bombing. He said that after April 19, 1995, she worked for both the ATF and the FBI. He said she continued as an informant until the day of the indictment and said that if she was "deactivated" in March 1995, she was never informed of such a measure.

The question of whether information gathered from mid-December 1996 through January 1997 by much-criticized FBI informant Richard Schrum will be allowed remains unanswered. Kirkpatrick, while stressing that it was not an admission of any sort of wrongful conduct by the government, told Burrage that the government made a decision Wednesday not to present such evidence during its case but may refer to it if Howe takes the stand.

A few minutes later, Brewster revealed that he does intend to call Howe to the stand, as well as Mahon, who took the Fifth Amendment before the state grand jury Wednesday.

Brewster said he also intends to call several people who were employed by the government during Howe's days as an informant. These probable witnesses include Angela Graham, Dave Roberts and Robert Sanders of the ATF and Martin Weber, Pete Rickel and James Blanchard of the FBI.

Brewster and Craig Bryant -- who represents Viefhaus -- won a victory earlier Wednesday when Burrage ruled that the government may not mention five bags of fertilizer that were found at the residence Howe and Viefhaus shared. The defense alleged that the prosecution claims only that the two had what could be made into a pipe bomb, not a fertilizer bomb.

Brewster said Wednesday that in light of all the publicity about fertilizer bombs at the McVeigh trial, evidence submitted to jurors about large bags of fertilizer could be "devastating" to the defense.

Burrage agreed. Noting that the government was not planning to call an expert witness to testify about fertilizer bombs and that the government was not charging Howe and Viefhaus with making a fertilizer bomb, he said any such evidence was more likely to be prejudicial than probative.

Burrage also ruled that a potential expert witness for the prosecution named Kelly H. Mount will not be allowed to testify because the prosecution did not give the defense a report concerning her qualifications in a timely fashion.

However, the day was not all pleasant for the defense. Burrage ruled that the lists and pictures of federal "targets" in Tulsa can be admitted as evidence.

He also denied a series of broader motions in the case filed by the defense several weeks ago. Burrage denied Viefhaus' motion to dismiss the conspiracy count on the claim that the delay between Viefhaus' being charged (Dec. 13) and Howe's being charged (March 11) was unnecessary delay. Burrage ruled that Viefhaus did not offer any proof that the delay was purposely caused by the government to gain tactical advantage over him or that the delay was designed to harass Viefhaus.

Brewster had asked the court to throw out the bomb threat count against Howe, partially because her voice does not appear on the answering machine message in which a male speaker (reportedly Viefhaus) states that a letter from a high-ranking revolutionary commander had been received threatening that bombs would be activated in 15 U.S. cities beginning on Dec. 15, 1996, if action against the federal government was not taken by that date.

The alleged threat is not quoted in the indictment. On Wednesday, Burrage ruled that "at this stage in the proceedings an indictment is to be judged by the charges made in the indictment. The strength or weakness of the government's case, or the sufficiency of the government's evidence to support the charges, may not be challenged. The court declines to resort to evidence beyond the four corners of the indictment to test its legal sufficiency. Judging the indictment solely on its face, the court finds it to be sufficient."

Brewster had also asked that the destructive device count be tossed based on "outrageous conduct" by the government in indicting Howe for possessing the items she was supposed to possess as an informant. Burrage found, however, that the defense did not meet the difficult burden established for outrageous government conduct.

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Tulsa World On-Line  
Informant's Input Sought For McVeigh  
By Julie DelCour  
World Staff Writer  
7/17/97

Timothy McVeigh's lawyers think the warnings could have affected the OC bombing case.

The shoe that Timothy McVeigh's defense team waited in vain to fall in Denver fell in Tulsa Wednesday.

Information finally emerged, in an entirely different court case, that former U.S. Bureau of Alcohol, Tobacco and Firearms informant Carol Howe warned federal agents that Oklahoma federal buildings were targeted by white separatists with ties to Elohim City.

The information was presented by Howe's attorney, Clark O. Brewster, during a pretrial hearing for Howe in an unrelated conspiracy case.

In May, U.S. District Judge Richard P. Matsch, who tried McVeigh in the Oklahoma City bombing case, barred the same information, saying it was irrelevant.

A few days later, McVeigh was convicted and condemned to die by jurors who never heard Howe's name. Last week, McVeigh's attorneys filed an 180-page motion

claiming a new trial is warranted because Matsch omitted Howe's testimony. Much of the information discussed by Brewster was included in the new-trial brief.

If the McVeigh jury had been allowed to hear her information, ``it might have had implications at both the guilt-innocence and penalty phase of his trial," McVeigh defense attorney Rob Nigh said.

``The information would point to a role for him different than what the government attributed to him," Nigh said. ``If it doesn't completely exonerate him it would at least support the proposition that there were others more blameworthy than he and that would be a mitigating factor in the death-penalty decision."

Stephen Jones, McVeigh's lead attorney, said he was glad to see the information finally reach the public eye. Before Brewster's disclosures, the material had been the subject of gag orders and protective orders by both Matsch and Burrage. Jones said he believes the government never intended for Howe's information ``to see the light of day."

Previously, prosecutors have argued Howe's information means little and that there was overwhelming evidence proving McVeigh's guilt.

Jones agrees the information does not necessarily exculpate McVeigh. He said his client never met Howe. But, her information does point to plans to bomb the building by others, Jones said. She specifically mentions plans by Tulsan Dennis Mahon and German national Andreas Strassmeir, who both had ties to Elohim City.

Both men have denied involvement.

``In my opinion the significance of Carol Howe's testimony is that it identifies federal buildings in Oklahoma City in jeopardy and harm's way by the very group that previously planned to bomb the Murrah," Jones said.

In the 1980s, a white separatist group involving James O. Ellison reportedly discussed bombing the Murrah. Ellison returned to Elohim City near the time of the Murrah bombing. One of his colleagues, Richard Snell, was executed in Arkansas the same day the Murrah was bombed. Snell is buried at Elohim City in far eastern Oklahoma.

``One of the major propositions of our new-trial brief," Nigh said, ``was what we expected the testimony to be in reference to Elohim City -- that other persons had made threats on federal buildings in Oklahoma, and other possible suspects."



Howe's information Wednesday ``provides independent corroboration of factual statements contained in our brief," Nigh said.

``Hopefully, more and more information will continue to come to light."

Leesa Brown, a bombing prosecution spokeswoman, said a court gag order prohibits her from discussing the Howe and McVeigh cases. Prosecutors previously have argued that there is no evidence suggesting government agents had prior warning of specific plans to attack the Murrah Building.

Other observers said that while the Howe testimony is provocative, it does not lessen McVeigh's involvement.

Jones said that the government waited to indict Howe in March, near the time McVeigh went to trial, because ``they wanted to make her a Typhoid Mary in the McVeigh trial."

Jones said that throughout Howe's tenure as an ATF informant in 1994-95, she filed 70 reports and frequently was polygraphed. ``She passed the polygraph according to the reports. They evaluated her credibility and found her to be a reliable, credible informant," Jones said.

``The documents further show a group of people associated with Elohim City were planning, actively, to engage in assassinations, mass murder and bombings directed against the federal government," Jones said.

``She reported it. She watched while smaller bombs exploded, and reported it. She told them that Mahon had confided to her that he had exploded a 500-pound pound in a truck in Michigan as a test," Jones said.

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Tulsa World On-Line

7/20/97

Grand Jury Listens To Witnesses

By Brian Ford

World Capitol Bureau

Panel probing the Oklahoma City bombing will reconvene Aug. 11.

OKLAHOMA CITY -- Debbie Nakanashi was not called last week to testify before a county grand jury that is looking into the Oklahoma City bombing, but she wants to be.

Nakanashi, a post office employee, is one of a group of people who say they have evidence that Timothy McVeigh was not alone when he bombed the Alfred P. Murrah Federal Building on April 19, 1995.

Others believe the federal government has covered up the fact that it knew of the pending bombing but failed to stop it, while still others are convinced that the truck-bomb was not enough to wreck the Murrah Building.

While federal authorities have said phone records link McVeigh to the rental of a Ryder truck on April 17, 1995, at Elliott's Body Shop in Junction City, Kan., Nakanashi said she was working at the post office near the Murrah Building two days before the bombing when McVeigh and another man entered the post office. She said the other man, who resembled the John Doe No. 2 sketch that was released by the FBI shortly after the bombing, asked for a government job application. Nakanashi said she directed him toward the federal building.

"I am surprised (that the grand jury) hadn't called me," Nakanashi said. "I would sure like to know what is going on. I'm sure some of the people (who say they saw McVeigh with at least one other person prior to the bombing) could be succumbing to mass hysteria, but not all of them."

The grand jury heard from 10 witnesses last week, but whether or not those witnesses' statements will help the jurors reach any conclusion is, well, inconclusive.

Rep. Charles Key, R-Oklahoma City, and the others who sparked the grand jury inquiry hope to prove several things: First, that McVeigh was with at least one other unidentified person at the time of the bombing. Second, that at least some federal law enforcement agents knew of the pending bombing attempt but failed to stop it or give warning. And third, that the rental truck filled with ammonium-nitrate fertilizer and diesel fuel was not enough to cause the damage that was inflicted on the Murrah Building.

The federal government's official position has been a vehement denial of prior knowledge of the bombing. But Bureau of Alcohol, Tobacco and Firearms Agent Angela Graham testified in another case in April that she had been told by Tulsa informant Carol Howe in the spring of 1995 that some residents of Elohim City, a white-separatist compound in far-eastern Oklahoma, were talking about blowing up a

federal building in Oklahoma City or Texas in a "cataclysm" that would signal the beginning of a "racial holy war."

Also, federal prosecutors have said they doubt the existence of a John Doe. No. 2. So far, no evidence has surfaced pointing to the presence of an explosive device apart from the truck-bomb used by McVeigh.

Still, Key said he was pleased with the progress of the grand jury. ``They were thorough and serious about this," he said. Key himself testified for less than an hour before the grand jury.

Key has recommended 39 witnesses for the grand jury. The jurors can choose to hear all or none of them.

The jury last week also heard from: Dennis Mahon, a white separatist from Tulsa who had ties to Elohim City; two men who said they saw McVeigh with at least one other person just before the bombing; an elevator maintenance man who questions an account that two federal agents were trapped in a falling elevator in the Murrah Building; a bombing survivor who was suspicious of the presence of four General Service Administration workers from Fort Worth at the bomb site; and three others.

Mahon asserted his Fifth Amendment right to remain silent and is seeking immunity from prosecution if he testifies. He will be back again before the grand jury on Aug. 15, but it is not known whether he will be granted immunity. Mahon said he had nothing to do with the bombing but that he wants immunity in case he is a target of the grand jury probe.

Howe has said Mahon was one of those who discussed blowing up federal buildings before the Murrah Building bombing. Mahon says he was in Illinois at the time of the attack.

Key and others who pushed for the grand jury have recommended several witnesses in their effort to prove that the government had prior knowledge.

V.Z. Lawton, a Department of Housing and Urban Development employee who suffered a head injury and hearing loss in the bombing, testified that he was driven home that day by four General Service Administration employees from Fort Worth who said they had been told the day before to perform a ``security check" on the Murrah Building.

Lawton identified two of the employees as Brent Mossbarger and Oscar ``Dude" Gooden.

However, Mossbarger, a GSA project manager, said he did not drive Lawton home on the day of the bombing. ``I do not know who this person was, to tell the truth," he said.

Mossbarger said he was on an airliner headed toward Oklahoma City at the time the Murrah Building blew up. He said he was taking part in an ongoing construction job at the federal courthouse across the street from the Murrah Building.

John Pouland, GSA regional administrator in Fort Worth, said Gooden, an elevator inspector, was in Oklahoma City on the day of the bombing to inspect elevators. ``He was in no way, shape or form involved in security. He did not give the guy a ride home," Pouland said.

Pouland said the GSA, which managed the Murrah Building, had its hands full in the aftermath of the bombing. ``I can't imagine four of our employees giving one guy a ride home under those circumstances," he said.

Key believes that ATF agents whose headquarters were in the Murrah Building were told not to report to work on the day of the bombing. ATF officials deny the charge but say they are now constrained from talking because of a gag order issued by Colorado U.S. District Judge Richard P. Matsch.

Key is seeking to poke holes in accounts by ATF agents and others who say they were in the Murrah Building at the time of the bombing.

An ATF agent has said he and a Drug Enforcement Agency employee were trapped in an elevator that fell from the eighth floor to the third floor in the Murrah Building during the explosion.

Oscar Johnson, an elevator maintenance worker for Mid-Western Elevator Co., however, testified that he found no evidence that any of the elevators had fallen during the explosion.

However, Johnson said he did not know which of the seven elevators in the Murrah Building was used by the two agents. One of the elevators was found on the third floor, he said.

Johnson added that he was not disputing the accounts of the agents but ``just stated what the actual conditions of the elevators were."

Two other men, Broken Arrow banker Kyle Hunt and Oklahoma City warehouse worker David Snider, both testified that they had seen McVeigh in Oklahoma City

with at least one other person roughly 30 minutes before the bombing. But they gave differing accounts regarding the vehicles they saw McVeigh in, whether McVeigh was the driver and how many people he was with. Key asserts that it would have been easy for McVeigh and the others with him to change vehicles or seats, which accounts for the differences in testimony.

Retired U.S. Air Force Gen. Benton K. Partin wants to testify before the grand jury about his belief that the ammonium-nitrate bomb alone could not have demolished more than half of the nine-story Murrah Building. Partin, who is touted as a munitions expert, says the pattern of damage caused by the explosion is inconsistent with just one bomb.

Partin traveled to Oklahoma City last week to offer his assistance to Oklahoma County District Attorney Bob Macy.

The grand jury, which is meeting in the Oklahoma County Detention Center, will reconvene for half a day on Aug. 11. It will then meet on Aug. 13, 15, 18 and 21 and again Sept. 8-12 and Sept. 15-19.